IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE TWENTY SEVENTH DAY OF JULY
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE GODA RAGHURAM

WRIT PETITION NO : 14545 of 2003

Between:

1 A. Durvasvla Reddy S/o. A. Krishna Reddy
N. Ramapuram Primary Agricultural Cooperative Society, Gudipalla Mandal, Chittoor District.
2 G. Peeraiah S/o. G. Erraiha
Obanapalli Primary Agricultural Cooperative Society, Chittoor Mandal, Chittoor District.
3 M. Sredhar S/o. Gawgaiha
Obanapalli Primary Agricultural Cooperative Society,Chittoor MMandal, Chittoor District.
4 M.C. Prakasam S/o. M. Chengalraya Pillai
Patrapalli, Primamry Agricultural Cooperative Society, Yadaari Mandal, Chittoor District.
5 V. Rajendran S/o.Venkatramana
Patrapalli, Priary Agricultural Cooperative Society, Yadaari Mandal, Chittoor District.
6 B. Govind Reddy S/o. Muni Reddy
Poonepalli, Priary Agricultural Cooperative Society, Penumur Mandal, Chittoor District.
7 K. Chendraiha Chetty S/o. Srenivasulu Chetty
Poonepalli Primary Agricultural Cooperative Society, Penuur Mandal, Chittoor District.
8 K.Ananda Pillai S/o.K. Soasheker Pillah,
Nangamangla Primary Agricultural Cooperative Society, Gudipala Mandal, Chittoor District.
9 K. Daksna urthy S/o. Krishna Swamy
uthukur Primary Agricultural Cooperative Society, Chittoor Mandal, Chittoor District.
10 M. Duruasulu Naidu S/o. Baskar Naidu
Sreevangapalli Primary Agricultural Cooperative Society, Gudipala andal, Chittoor District.
11 M. Jayaraj S/o. Manickyam

Sreevengapalli Priary Agricultural Cooperative Society, Gudipala Mandal, Chittoor District.

12 M. Govindapillah S/o. Monaswamypillah
Thugudram Primary Agricultural Cooperative Society,G.D. Nelloor Mandal, Chittoor District.

13 A. Chinnabba S/o. Avalaiah
Thumgudram Primary Agricultural Cooperative Society, G.D. Nelloor Mandal, Chittoor District.

14 T. Anandan S/o.Dorasway
Thugudram Primary Agricultural Cooperative Society, G.D. Nelloor Mandal, Chittoor District.

15 S. Viswanadham S/o. Venkatreddy
Vedullacheru, Priary Agricultural Cooperative Society, Renugunta Mandal, Chittoor District.

16 P. Sivarama Reddy S/o. Sami Reddy
Vedullacheru, Primary Agricultural Cooperative Society, Renugunta Mandal, Chittoor District.

17 V. Venkatachalam Reddy S/o. Jayarami Reddy
Vedullacheru, Primary Agricultural Cooperatve Society,Renugunta Mandal, Chittoor District.

18 B. Thyagaraja Naidu S/o.Gangaiah Naidu
Bheemavaram Velley, Primary Agricultural Cooperative Society, Chandgiri Mandal,
Chittoor District.

19 P. Chinnaswamy Reddy S/o. Bail Reddy
Bheeavaram Velley, Priary Agricultural Cooperative Society, Chandgiri Mandal, Chittoor District.

20 J. Chanchaiyah Naidu S/o.Nagudu
Bheemavara Velley, Primary Agricultural Cooperative Society,Chandgri Mandal, Chittoor District.

21 G.Savithrammah W/o. Balakrishna
Bheemavara Velley, Primary Agricultural Cooperative Society, Chandragri Mandal, Chittoor District.

22 P. Raakrishna Reddy S/o. Ramachandra Reddy
Mallagunta, Prmary Agricultural Cooperative Society, Tirupatrural Mandal
Chittoor District.

23 Y. Nannaiah S/o. Sanjeeevaiah
Gajulamandya Primary Agricultural Cooperative Society, Renigunta Mandal, Chittoor District.

24 D. Rachandra Naidu S/o.Subbaiha Naidu
Maddipatlapalli Priary Agricultural Cooperative Society, Irala Mandal, Chittoor District.

25 S. Subramanyam S/o. S. Munaswamy
Mallara Palli, Primary Agricultural Cooperative Society, Irala Mandal, Chttoor District.

26 E. Ramakrishna S/o. E.Krishnaya
Mallara Palli, Primary Agricultural Cooperative Society, Irala Mandal, Chittoor District.

27 M. Daodaram S/o. M. Siddiah
Mallara Palli Primary Agricultural Cooperative Society, Irala Mandal, Chittoor District.

28 K. Ravinder Naidu S/o. K. Narasimhulu Naidu
Irala Primary Agricultural Cooperative Society, Irala Mandal, Chittoor District

29 D. Siddappa S/o. D. Muneppa
Irala Priary Agricultural Cooperative Society, Irala Mandal, Chittoor District
30 S. mastan S/o. S. Mohiddin Saheb
Irala Primary Agricultural Cooperative Society, irala Mandal, Chittoor District
31 P. Rammoorthy S/o. P. Subbaramiah
Nampally, Primary Agricultural Cooperative Society, Irala Mandal,
Chittoor District.

..... PETITIONERS

AND

1 The Govt. of Andhra Pradesh, Cooperative Department,
Rep. by its Secretary, Secretariat, Hyderabad.
2 The Commissioner for Cooperation and Registrar of Coop. Societies, Hyd.
3 The District Cooperative Officer, Chittoor District.
4 N. Ramapuram Primary Agricultural Cooperative Society, Rep. by its
Person-in-Charge, N. Ramapuram Village & Post, Chittoor Mandal, Chittoor
District
5 Obanapalli Primary Agricultural Cooperative Society, rep. by its
Person-in-Charge, Obanapalli Village & Post, Chittoor Mandal, Chittoor District
6 Patrapalli Primary Agricultural Cooperative Society, rep. by its
Person-in-Charge, Patrapalli Village &Post, Yadamarri Mandal, Chittoor Dist.
7 Poonepali Primary Agricultural Cooperative Society,
rep. by its Person-in-Charge, Poonepalli Village & Post, Penumoor Mandal,
Chittoor District.
8 Nangaangalam Primary Agricultural Cooperative Society,
rep. by its Person-in-Charge, Nangamangalam Village & Post,
Gudipala Mandal, Chittoor Dstrict.
9 Muthukur Primary Agricultural Cooperative Society,
rep. by its Person-in-Charge, Muthukur Village & Post, Chttoor Mandal & Dist.
10 Sreevanganpalli Primary Agricultural Cooperative Society,
rep. by its Person-in-Charge, Sreevanganpalli Village & Post,
Gudipala Mandal, Chittoor District.
11 Thungundram Primary Agricultural Cooperative Society,
rep. by its Person-in-Charge, Thungundram Vllage & Post,
Gangadharanellore Mandal, Chittoor District.
12 Vedullacheruvu Priary Agricultural Cooperative Society,
rep. by its Person-in-Charge, Vedullacheruvu Village & Post,
Renigunta Mandal, Chittoor District.
13 Bheemavaram Valley Primary Agricultural Cooperative Society,
rep. by its Person-in-Charge,Bheemavaram Vllage & Post, Chandragiri Mandal,
Chittoor District.
14 Mallamgunta Primary Agricultural Cooperative Society,
rep. by its Person-in-Charge, Mallamgunta Village & Post,
Tirupati Rural Mandal, Chittoor District
15 Gajulaandyam Primary Agricultural Cooperative Society,
rep. by its Person-in-Charge, Gajulamandya Village & Post,
Tirupati Rural mandal, Chittoor District.
16 Maddipatlapalli Priary Agricultural Cooperative Society,

rep. by its Person-in-Charge, Maddipatlapalli Village & Post,
Irala Mandal, Chittoor District.

17 Mallarapalli Primary Agricultural Cooperative Society,
rep. by its Person-in-Charge, Mallarapalli Village & Post,
Irala Mandal, Chittoor District.

18 Irala Primary Agricultural Cooperative Society,rep. by its Person-in-Charge,
Irala Village & Post, Irala Mandal, Chittoor District.

19 Nampalli Primary Agricultural Cooperative Society,
rep. by its Person-in-Charge, Nampalli Village & Post, Irala Mandal,
Chittoor District.

20. The Chittor District Co-operative Central Bank Limited, Chittoor, rep., by its General Manager.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ of MANDAMUS declaring the action of the respondents in reducing our pay scales drastically in violation of principles of natural justice and inaction in paying any salary as arbitrary, illegal and offending Art. 14, 21 & 23 of Constitution of India consequently direct payment of salary and allowances without any revision by nullifying reduction.

Counsel for the Petitioner: MR.D.PURNACHANDRA REDDY

Counsel for the Respondent Nos.1,2 & 3: G.P. For Co-operation.

Counsel for the Respondent Nos. 4 to 19: --N.P.--

Counsel for the Respondent No.20: MR.P.M.GOPAL RAO

The Court made the following :

ORAL ORDER:

Petitioners are employees of respondent Nos. 4 to 20 – Primary Agricultural Co-operative Societies (for short PACS). The petitioners' grievance is as regards the reduction of their salaries by the employer—PACS pursuant to the provisions of

Section 116-C of the Andhra Pradesh Co-operative Societies Act, 1964. The petitioners did not establish any liability of the State towards the payment of their salaries. The petitioners' entitlement to salaries are only from the respondent Nos. 4 to 20 – PACS where they are employed. The petitioners do not also plead or establish that the respondents 4 to 20 – PACS are a State within the meaning of Article 12 of the Constitution of India. In the above circumstances, the writ petition is not maintainable and no relief could be granted to the petitioners, on merits in this writ petition. The writ petition is, accordingly, dismissed. The petitioners are, however, at liberty to pursue the alternative remedy available under law. No costs.

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GODA RAGHURAM, J

Dt. 27-07-2004

Pvks/*

To

1 The Secretary, the Govt. of Andhra Pradesh, Cooperative Department, Secretariat, Hyderabad.
2 The Commissioner for Cooperation and Registrar of Coop. Societies, Hyd.
3 The District Cooperative Officer, Chittoor District.
4 The Person-in-Charge, N. Ramapuram Primary Agricultural Cooperative Society
, N. Ramapuram Village & Post, Chittoor Mandal, Chittoor District
5 The Person-in-Charge, Obanapalli Primary Agricultural Cooperative Society, Obanapalli Village & Post, Chittoor Mandal, Chittoor District
6 The Person-in-Charge, Patrapalli Primary Agricultural Cooperative Society, Patrapalli Village &Post, Yadamarri Mandal, Chittoor Dist.
7 The person-in-Charge Poonepali Primary Agricultural Cooperative Society, Poonepalli Village & Post, Penumoor Mandal, Chittoor District.
8 The Person-in-Charge, Nangaangalam Primary Agricultural Cooperative Society, Nangamangalam Village & Post, Gudipala Mandal, Chittoor Dstrict.
9 The Person-in-Charge, Muthukur Primary Agricultural Cooperative Society, Muthukur Village & Post, Chttoor Mandal & Dist.
10 The Person-in-Charge, Sreevanganpalli Primary Agricultural Cooperative Society, Sreevanganpalli Village & Post, Gudipala Mandal, Chittoor District.
11 The Person-in-Charge, Thungundram Primary Agricultural Cooperative Society, Thungundram Vllage & Post, Gangadharanellore Mandal, Chittoor District.
12 The Person-in-Charge, Vedullacheruvu Priary Agricultural Cooperative Society, Vedullacheruvu Village & Post, Renigunta Mandal, Chittoor District.
13 The Person-in-Charge, Bheemavaram Valley Primary Agricultural Cooperative Society, Bheemavaram Vllage & Post, Chandragiri Mandal, Chittoor District.
14 The Person-in-Charge, Mallamgunta Primary Agricultural Cooperative Society, Mallamgunta Village & Post, Tirupati Rural Mandal, Chittoor District
15 The Person-in-Charge, Gajulaandyam Primary Agricultural Cooperative Society, Gajulamandya Village & Post, Tirupati Rural mandal, Chittoor District.
16 The Person-in-Charge, Maddipatlapalli Priary Agricultural Cooperative Society, Maddipatlapalli Village & Post, Irala Mandal, Chittoor District.
17 The Person-in-Charge, Mallarapalli Primary Agricultural Cooperative Society, Mallarapalli Village & Post, Irala Mandal, Chittoor District.
18 The Person-in-Charge, Irala Primary Agricultural Cooperative Society, Irala Village & Post, Irala Mandal, Chittoor District.
19 The Person-in-Charge, Nampalli Primary Agricultural Cooperative Society, Nampalli Village & Post, Irala Mandal, Chittoor District.

20. The General Manager, the Chittor District Co-operative Central Bank Limited, Chittoor.

21.2CCs to learned Government Pleader for Co-operation, A.P. High Court Buildings, Hyderabad (OUT).

22.2CD copies